

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC., a	:	
Delaware corporation,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 04-1371-JJF
	:	
FAIRCHILD SEMICONDUCTOR	:	
INTERNATIONAL, INC., a Delaware	:	
corporation, and FAIRCHILD	:	
SEMICONDUCTOR CORPORATION, a	:	
Delaware corporation,	:	
	:	
Defendants.	:	

MEMORANDUM ORDER

WHEREAS, Plaintiff Power Integrations, Inc. ("Power Integrations") has filed a Motion For Declaration That This Case Is Exceptional, Treble Damages, And Attorneys' Fees (D.I. 610);

WHEREAS, the Court has concluded by separate Opinion and Order (D.I. 692, 693) that a new trial on willful infringement is warranted in light of changes to the law made by the Federal Circuit's decision, In re Seagate, 497 F.3d 1360 (Fed. Cir. 2007);

WHEREAS, in these circumstances, the Court concludes that a determination regarding exceptional case and attorneys' fees should be delayed;

NOW THEREFORE, IT IS HEREBY ORDERED that Power Integrations' Motion For Declaration That This Case Is Exceptional, Treble Damages, And Attorneys' Fees (D.I. 610) is **DENIED** with leave to renew following the conclusion of a retrial on the issue of

willful infringement.

December 12, 2008

DATE


UNITED STATES DISTRICT JUDGE